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6 Attorneys for Richard C.G. Larson

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 * * *

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 RICHARD C.G. LARSON,

14 Defendant.

2:15-mj-313-GWF

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**

(Second Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
17 States Attorney, and Christina M. Brown, Assistant United States Attorney, counsel for the United
18 States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant
19 Federal Public Defender, counsel for, RICHARD C.G. LARSON, that the Preliminary Hearing
20 currently scheduled for July 13, 2015 at the hour of 4:00 p.m., be vacated and set to a date and time
21 convenient to this court. However, in no event earlier than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. Parties have entered negotiations and need the additional time to resolve this matter.
24 2. Defendant is incarcerated and does not object to a continuance.

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1 3. Additionally, denial of this request for continuance could result in a miscarriage of
2 justice. The additional time requested by this Stipulation is excludable in computing the time within
3 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
4 Code, Section 3161 (h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering
5 the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6 This is the second request for continuance filed herein.

7 DATED this 10th day of July, 2015.

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9 RENE L. VALLADARES
10 Federal Public Defender

11 DANIEL G. BOGDEN
12 United States Attorney

13 By _____
14 /s/ Brian Pugh
15 Brian Pugh
16 Assistant Federal Public Defender

17 By _____
18 /s/ Christina M. Brown
19 Christina M. Brown
20 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA,

2:15-mj-313-GWF

5 Plaintiff,

6 vs.

7 RICHARD C.G. LARSON,

ORDER

8 Defendant.

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10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore,
12 the Court finds that:

- 13 1. Parties have entered negotiations and need the additional time to resolve this matter.
14 2. Defendant is incarcerated and does not object to a continuance.
15 3. Additionally, denial of this request for continuance could result in a miscarriage of
16 justice. The additional time requested by this Stipulation is excludable in computing the time within
17 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
18 Code, Section 3161 (h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering
19 the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

20 **CONCLUSIONS OF LAW**

21 The ends of justice served by granting said continuance outweigh the best interest of
22 the public and the defendant in a speedy trial, since the failure to grant said continuance would be
23 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
24 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
25 account the exercise of due diligence.

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1 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United
2 States Code, Section 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, §§ 3161 (h)(7)(A),
3 when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and
4 3161(h)(7)(B)(iv).

5 **IT IS THEREFORE ORDERED** that the Preliminary Hearing currently scheduled on
6 July 13, 2015 at the hour of 4:00 p.m., be vacated and continued to August 14, 2015 at 4:00 p.m.

7 DATED this 13th day of July, 2015.

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11 UNITED STATES MAGISTRATE JUDGE

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